

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
61st LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON TAXATION**

**Call to Order:** Chairman Bob Lake, on February 5, 2009 at 8:00  
A.M., in Room 152 Capitol.

**ROLL CALL**

**Members Present:**

Rep. Bob Lake, Chairman (R)  
Rep. Jill Cohenour, Vice Chairman (D)  
Rep. Janna Taylor, Vice Chairman (R)  
Rep. Dick Barrett (D)  
Rep. Mark Blasdel (R)  
Rep. Edward B. Butcher (R)  
Rep. Wanda Grinde (D)  
Rep. Robin Hamilton (D)  
Rep. Brian Hoven (R)  
Rep. Mike Jopek (D)  
Rep. Dave McAlpin (D)  
Rep. Mike Miller (R)  
Rep. Art Noonan (D)  
Rep. JP Pomnichowski (D)  
Rep. Lee Randall (R)  
Rep. J. David Roundstone (D)  
Rep. Jon Sonju (R)  
Rep. Wayne Stahl (R)  
Rep. Chas Vincent (R)

**Members Excused:** Rep. Brady Wiseman (D)

**Members Absent:** None.

**Staff Present:** Jeff Martin, Legislative Branch  
Jennifer O'Loughlin, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: None

Executive Action: HB 113; HB 262; HB 299; HB 315; SB  
23; SB 116; SB 181; HJ 2

**EXECUTIVE ACTION ON HB 113**

00:04:06 **Motion:** Rep. Sonju moved that **HB 113 DO PASS.**

00:05:11 **Motion:** Rep. Cohenour moved that **HB 113 BE AMENDED.**  
**EXHIBIT (tah27a01)**

**Discussion:**

00:05:26 Mr. Martin

00:09:15 Rep. Stahl

00:10:04 Rep. Cohenour called the question.

00:10:12 **Vote:** Motion carried 16-4 by voice vote with Rep.  
Lake, Rep. Miller, Rep. Sonju, and Rep. Stahl voting  
no. Rep. Wiseman voted by proxy.

00:11:03 **Motion:** Rep. Sonju moved that **HB 113 DO PASS AS**  
**AMENDED.**

**Discussion:**

00:11:15 Rep. Cohenour

00:11:34 Rep. Sonju

00:11:38 **Motion/Vote:** Rep. Sonju moved that **HB 113 BE TABLED.**  
Motion carried unanimously by voice vote. Rep.  
Wiseman voted by proxy.

**EXECUTIVE ACTION ON HB 232**

00:12:27 Rep. Cohenour announced that Rep. French is still working on HB 232.

**EXECUTIVE ACTION ON HB 249**

00:14:01 Rep. Stahl announced that he is working on a fiscal note for HB 249.

**EXECUTIVE ACTION ON HB 261**

00:14:58 **Motion:** Rep. Sonju moved that **HB 261 DO PASS.**

00:15:25 **Motion:** Rep. Vincent moved that **HB 261 BE AMENDED.**  
**EXHIBIT (tah27a02)**

**Discussion:**

00:16:03 Mr. Martin

00:17:13 Chairman Lake

00:17:26 Mr. Martin

00:17:42 Rep. Vincent

00:17:54 Rep. Cohenour

00:18:11 Rep. Taylor

00:18:29 Chairman Lake announced that HB 261 needs a second fiscal note.

00:18:44 Rep. Jopek

00:19:22 Rep. Vincent called the question on the motion.

00:19:25 **Vote:** Motion carried 19-1 by roll call vote with Rep. Taylor voting no.

00:21:10 Chairman Lake announced that, without committee objection, additional executive action would be deferred until the fiscal note was updated.

**EXECUTIVE ACTION ON HB 262**

00:21:34 **Motion:** Rep. Butcher moved that **HB 262 DO PASS.**

**Discussion:**

00:21:46 Mr. Martin passed out and discussed the amendments.

[EXHIBIT\(tah27a03\)](#)

[EXHIBIT\(tah27a04\)](#)

00:23:26 Rep. Sonju

00:23:40 Mr. Martin

00:24:20 **Motion:** Rep. Sonju moved that **HB 262 BE AMENDED.**

**Discussion:**

00:24:35 Rep. Cohenour

00:25:04 Rep. Sonju

00:25:11 Chairman Lake

00:25:49 Rep. Butcher

00:26:32 Rep. Cohenour

00:26:46 Rep. Jopek called the question.

00:27:23 Chairman Lake

00:27:54 **Vote:** Motion carried unanimously by voice vote. Rep. Wiseman voted by proxy.

00:28:08 **Motion:** Rep. Sonju moved that **HB 262 DO PASS AS AMENDED.**

**Discussion:**

00:28:30 Mr. Martin

00:29:21 Chairman Lake

00:29:26 Mr. Martin

00:29:33 Rep. Sonju

00:29:38 Mr. Martin

00:30:00 Rep. Cohenour called the question.

00:30:09 **Vote:** Motion carried unanimously by voice vote. Rep. Wiseman voted by proxy.

**EXECUTIVE ACTION ON HB 299**

00:30:39 **Motion:** Rep. Taylor moved that **HB 299 DO PASS.**

**Discussion:**

00:30:59 Rep. Cohenour

00:31:42 Chairman Lake

00:32:13 Rep. Vincent called the question

00:33:30 **Vote:** Motion failed 8-12 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Hoven, Rep. Lake, Rep. Miller, Rep. Randall, Rep. Stahl, and Rep. Taylor voting aye. Rep. Wiseman voted by proxy.

00:34:05 **Substitute Motion:** Rep. Cohenour made a substitute motion that **HB 299 BE TABLED AND THE VOTE REVERSED.**

00:34:15 **Vote:** Motion carried 18-2 by voice vote with Rep. Butcher and Rep. Taylor voting no. Rep. Wiseman voted by proxy.

00:34:40 Rep. Sonju left the room.

**EXECUTIVE ACTION ON HB 315**

00:34:57 **Motion:** Rep. Taylor moved that **HB 315 DO PASS.**

**Discussion:**

00:35:14 Rep. Cohenour

00:36:13 Rep. Taylor

00:36:43 Rep. Miller called the question.

00:37:16 **Vote:** Motion carried unanimously by voice vote. Reps. Sonju and Wiseman voted by proxy.

**EXECUTIVE ACTION ON HB 341**

00:38:06 Rep. Stahl announced that he is waiting for amendments to HB 341.

**EXECUTIVE ACTION ON SB 23**

00:38:22 Rep. Sonju entered the room.

00:38:38 **Motion:** Rep. Cohenour moved that **SB 23 BE CONCURRED IN.**

**Discussion:**

00:38:46 Mr. Martin passed out amendments and additional information.

**EXHIBIT**(tah27a05)

00:39:18 **Motion:** Rep. Stahl moved that **SB 23 BE AMENDED.**

**Discussion:**

00:39:44 Rep. Cohenour

**EXHIBIT**(tah27a06)

00:40:47 Rep. Stahl

00:41:50 Rep. Jopek

00:41:59 Rep. Stahl

00:42:11 Rep. Cohenour

00:42:35 Mr. Martin

00:43:08 Rep. Cohenour

00:43:46 Rep. Stahl

00:44:18 Rep. Taylor

00:45:39 Rep. Stahl called the question.

00:45:49 **Vote:** Motion failed 13-7 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Hoven, Rep. Lake, Rep. Randall, Rep. Stahl, and Rep. Vincent voting aye. Rep. Wiseman voted by proxy.

**Discussion:**

00:47:36 Rep. Cohenour

00:48:07 Rep. Stahl

00:49:57 Rep. Taylor

00:51:14 Chairman Lake

00:51:34 Rep. Jopek called the question.

00:51:43 **Vote:** Motion carried 14-6 by roll call vote with Rep. Butcher, Rep. Lake, Rep. Randall, Rep. Sonju, and Rep. Stahl voting no. Rep. Wiseman voted by proxy.

00:53:05 Rep. Taylor will carry the bill.

**EXECUTIVE ACTION ON SB 116**

00:53:51 **Motion:** Rep. Sonju moved that **SB 116 BE CONCURRED IN.**

00:54:01 Rep. Sonju called the question.

00:54:09 **Vote:** Motion carried unanimously by voice vote. Rep. Wiseman voted by proxy.

00:54:28 Rep. Noonan will carry SB 116.

**EXECUTIVE ACTION ON SB 181**

00:55:03 **Motion:** Rep. Taylor moved that **SB 181 BE CONCURRED IN.**

**Discussion:**

00:55:17 Rep. Cohenour

00:55:42 Chairman Lake

00:56:06 Rep. Sonju called the question.

00:56:11 **Vote:** Motion carried unanimously by voice vote. Rep. Wiseman voted by proxy.

00:56:28 Chairman Lake will carry SB 181.

00:56:45 Break

01:13:04 Reconvene

Rep. Pomnichowski left the room.

**EXECUTIVE ACTION ON HJ 2**

01:14:08 **Motion:** Rep. Jopek moved that **HJ 2 DO PASS.**

**Discussion:**

01:14:22 Rep. Jopek

01:15:40 Chairman Lake

01:16:49 **Motion:** Rep. Stahl moved that **HJ 2 BE AMENDED.**

**EXHIBIT**(tah27a07)

**Discussion:**

01:17:45 Rep. Stahl

01:18:18 Mr. Martin

01:23:18 Rep. Jopek

01:23:40 Mr. Martin

01:23:47 Rep. Cohenour

01:25:30 Rep. Butcher

01:27:19 Rep. Sonju

01:29:05 Rep. Cohenour

01:30:33 Chairman Lake

01:31:53 Rep. Sonju called the question.

**Discussion:**

01:31:59 Rep. Stahl

01:32:39 Rep. Cohenour

01:32:43 Rep. Stahl

01:34:58 Rep. Taylor

01:36:01 Chairman Lake

01:37:55 **Vote:** Motion failed 10-10 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Hoven, Rep. Lake, Rep. Miller, Rep. Randall, Rep. Sonju, Rep. Stahl, Rep. Taylor, and Rep. Vincent voting aye. Reps. Pomnichowski and Wiseman voted by proxy.

01:38:03 **Motion:** Rep. Cohenour moved that **HJ2 BE AMENDED.**

**EXHIBIT**(tah27a08)

**Discussion:**

01:38:42 Rep. Cohenour

01:40:13 Rep. Butcher

01:43:28 Rep. Noonan

01:46:18 Rep. Jopek



01:49:00 Rep. Taylor

01:49:50 Rep. Sonju

01:51:30 Rep. Jopek called the question.

**Discussion:**

01:51:37 Rep. Cohenour

01:53:24 Chairman Lake

01:53:43 **Vote:** Motion failed 10-10 by roll call vote with Rep. Barrett, Rep. Cohenour, Rep. Grinde, Rep. Hamilton, Rep. Jopek, Rep. McAlpin, Rep. Noonan, Rep. Pomnichowski, Rep. Roundstone, and Rep. Wiseman voting aye. Rep. Pomnichowski and Wiseman voted by proxy.

01:55:20 Rep. Cohenour called the question.

01:55:30 **Vote:** Motion failed unanimously by voice vote. Reps. Pomnichowski and Wiseman voted by proxy.

01:57:07 Rep. Jopek updated the committee on the progress of the joint reappraisal committee.

**ADJOURNMENT**

01:57:45 Adjournment: 10:10 A.M.

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Jennifer O'Loughlin, Secretary

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Additional Documents:

**EXHIBIT ([tah27aad.pdf](#))**